

those groups inside IRAQ opposed to the regime of Iraqi dictator SADDAM HUSSEIN.

127. During the July 1998 visit, ZAWAHIRI toured an IRAQI military base and nuclear and chemical weapons facility near al-Fallujah in IRAQ and upon information and belief, observed training by IRAQI INTELLIGENCE officials of AL QAEDA operatives at the al-Nasiriyah military and chemical weapons facility in IRAQ.

U.S. EMBASSY BOMBINGS

128. To demonstrate its commitment to IRAQ and its anti-U.S. policies, in the Spring of 1998, AL QAEDA planned terrorist bombing attacks on the U.S. Embassies in Nairobi, Kenya and Dar Es Salaam, Tanzania. FAZUL ABDULLAH MOHAMED, KHALFAN KHAMIS MOHAMED, MUSTAFA MOHAMED FADHIL, MOHAMED RASHED DAOUD AL-'OWALI, SHEIKH AHMED SALIM SWEDAN, FAHID MOHAMED ALLY MSALAM and an individual known as ABDULLAH AZZAM were chosen as some of the AL QAEDA terrorists who would conduct the coordinated attacks in Nairobi and Dar Es Salaam.

129. In July and early August 1998, AL QAEDA terrorists MUSTAFA MOHAMED FADHIL, Khalfan Khamis Mohamed, AHMED KHALFAN GHAILANI, FAHID MOHAMMED ALLY MSALAM, AHMED the German, SHEIKH AHMED SALIM SWEDAN, Mohamed Sadeek Odeh and FAZUL OBDULLAH MOHAMMED were stationed in Dar es Salaam where they purchased a 1987 Nissan Atlas truck and outfitted it with

oxygen, acetylene tanks, TNT, batteries, detonators, fertilizer and sand bags, creating a massive bomb to be driven into the U.S. Embassy. Odeh, FAZUL OBDULLAH MOHAMMED and others who participated in the bombings had been with BIN LADEN since the early 1990s and BIN LADEN's days in the SUDAN.

130. On July 30, 1998, IRAQ warned it would take action unless the United Nations embargo was lifted. IRAQ blamed the United States for the United Nations embargo. On August 4, 1998, IRAQ refused to cooperate with the United Nations weapons inspectors in IRAQ and talks for a resolution of the crisis collapsed, causing U.N. inspectors to leave.

131. Three days later, on August 7, 1998, at approximately 10:30 a.m., FAZUL, Al-'Owhali and AZZAM drove a Toyota Dyna truck (outfitted similarly to a Nissan Atlas truck in Dar Es Salaam) to the U.S. Embassy in Nairobi, Kenya and detonated a large bomb damaging the Embassy and demolishing a nearby Secretarial College building and Cooperative Bank building, resulting in the more than 213 deaths (12 Americans) and injuries to more than 4,500 people.

132. On August 7, 1998, at approximately 10:40 a.m., ten minutes after the bombing in Kenya, Khalfan Khamis Mohamed and AHMED the German detonated the Dar Es Salaam bomb in the vicinity of the U.S. Embassy in Dar Es Salaam, Tanzania

severely damaging the Embassy building and resulting in the death of 11 people and injuries to more than 85 people.

133. On August 7, 1998, shortly before the bombing, Eidarous, an AL QAEDA member in London, sent a letter to news organizations in Paris, Doha, Qatar and Dubai, UAE claiming responsibility for the Embassy bombings under the fictitious name Islamic Army for the Liberation of Holy Places.

134. At the trial in New York of some of the AL QAEDA - U.S. Embassy bombers, some of the defendants elicited testimony in their defense that cited the poor living conditions in IRAQ. They blamed those conditions on the U.S.- U.N. sanctions, and used it as motivation and explanation for the AL QAEDA attacks on the Embassies.

THE 1998 U.S. AIR STRIKES ON AL QAEDA

135. On August 20, 1998, the United States initiated a pre-emptive and retaliatory air strike with cruise missiles on AL QAEDA training camps in Khost, Afghanistan and a factory in Khartoum, SUDAN, believed at the time to be a chemical weapons plant used by the Sudanese and IRAQI governments to manufacture weapons for their use and that of AL QAEDA terrorists.

136. On August 20, 1998, President Clinton issued a statement on the air strike:

Our target was terror . . . our mission was clear to strike at the network of radical groups affiliated with and funded by BIN LADEN, perhaps the preeminent organizer and financier of international terrorism in the world today.

137. In December 1998, after a stand off between the U.N. and IRAQ and a discovery of weapons violations in IRAQ, the U.S. led U.N. allies in a four-day air strike on IRAQ. IRAQI Trade Minister MUHAMMAD MAHDI SALAH then stated that he expected terrorist activities against the United States to increase as a result of the bombing of IRAQ. The Arabic language daily newspaper Al-Quds Al-Arabic cited the cooperation between IRAQ, BIN LADEN and AL QAEDA in a late December 1998 editorial, which predicted that

"President SADDAM HUSSEIN, whose country was subjected to a four day air strike, will look for support in taking revenge on the United States and Britain by cooperating with Saudi oppositionist Osama Bin-Laden, whom the United States considers to be the most wanted person in the world."

The editorial noted that this type of cooperation was already taking place, considering that "Bin-Laden was planning on moving to IRAQ before the recent strike."

138. Following the December 1998 air strikes on IRAQ, SADDAM HUSSEIN dispatched FARUQ AL-HIJAZI to Kandahar,

Afghanistan in order to meet with BIN LADEN and plot their revenge.

139. QUSAY HUSSEIN also dispatched representatives to follow-up with BIN LADEN and obtain his firm commitment to exact revenge against the United States for the December 1998 bombing campaign. IRAQ offered BIN LADEN and AL QAEDA an open-ended commitment to joint operations against the United States and its "moderate" Arab allies in exchange for an absolute guarantee that BIN LADEN, AL QAEDA and their allies would not attempt to overthrow SADDAM HUSSEIN's regime in IRAQ.

140. To demonstrate IRAQ's commitment to BIN LADEN and AL QAEDA , HIJAZI presented BIN LADEN with a pack of blank, official Yemeni passports, supplied to IRAQI INTELLIGENCE from their Yemeni contacts. HIJAZI's visit to Kandahar was followed by a contingent of IRAQI INTELLIGENCE officials who provided additional training and instruction to BIN LADEN and AL QAEDA operatives in Afghanistan. These Iraqi officials included members of "Unit 999," a group of elite IRAQI INTELLIGENCE officials who provided advanced sabotage and infiltration training and instruction to AL QAEDA operatives.

141. At that meeting, upon information and belief, BIN LADEN, AL QAEDA and IRAQ agreed to join efforts in a

detailed, coordinated plan for a protracted terrorist war against the United States.

142. IRAQ also agreed to provide BIN LADEN and AL QAEDA with the assistance of an expert in chemical weapons; and BIN LADEN agreed to hunt down Iraqi opposition leaders who cooperated with the United States against HUSSEIN. In furtherance of this agreement, BIN LADEN agreed to have a group of AL QAEDA 's "Afghan" Arabs enter IRAQ to fight Kurdish dissidents.

143. IRAQ maintains an advanced chemical and biological weapons program and is one of only three countries in the world producing a highly developed weaponized anthrax. Some time during or after 1998, IRAQ agreed to help BIN LADEN and AL QAEDA develop a laboratory in Afghanistan designed to produce anthrax.

144. In addition to the al-Nasiriyah and Salman Pak training camps, by January 1999, BIN LADEN and AL QAEDA operatives were being trained by IRAQI INTELLIGENCE and military officers at other training camps on the outskirts of Baghdad.

145. In January 1999, IRAQ began reorganizing and mobilizing IRAQI INTELLIGENCE front operations throughout Europe in support of BIN LADEN and AL QAEDA. Haqi Ismail, believed to be a member of the IRAQ'S MUKHABARAT Secret

Service, left IRAQ to train in an Afghanistan AL QAEDA camp. Ismail was believed to be a liaison between IRAQ, the TALIBAN and AL QAEDA and was rewarded with a position in the TALIBAN Foreign Ministry.

146. On or about June 1999, during an interview with an Arabic-language television station, BIN LADEN issued a further threat indicating that all American males should be killed.

MILLENNIUM PLOT

147. On December 14, 1999, Ahmed Ressam, an AL QAEDA operative, was arrested while driving a truck from Canada into the United States at Port Angeles, Washington. The truck was loaded with bomb making materials and detonators. Ressam later confessed to, and was convicted of conducting an AL QAEDA plan to detonate a large bomb at Los Angeles International Airport on New Year's Day 2000. AL QAEDA terrorists ABU JAFFER AL-JAZIRI, BIN LADEN's longtime IRAQI assistant, and MAHFUZ OUL AL-WALID, a/k/a Khaled Al-Shanguiti, a/k/a Abu Hafs, a/k/a "the Mauritanian," were both identified as orchestrating the so called "Millennium Plot."

148. In April 2000, UDAY HUSSEIN, as a birthday gift to his father, SADDAM HUSSEIN, assembled a squad of 1,200 trained men called AL QARE. Thirty of them were dispatched with UAE passports to points around the world to standby for

orders to commit acts of sabotage, urban warfare and hijacking.

ATTACK ON U.S.S. COLE

149. In the spring of 2000, IRAQI INTELLIGENCE began planning to attack United States warships in the Persian Gulf in an effort to prompt a United States withdrawal. IRAQ sought suicide bombers who would employ small boats packed with explosives to ram United States' warships.

150. On October 12, 2000, IRAQI INTELLIGENCE and members of AL QAEDA, including BIN LADEN, JAMAL AL-BADAWI, KHALID AL-MIDHAR, MOHAMMED OMAR AL-HARAZI, WALID AL-SOUROURI, FATHA ADBUL RAHMAN, YASSER AL-AZZANI, JAMAL BA KHORSH, AHMAD AL-SHINNI, RAED HIJAZI, JAMIL QASIM SAEED MOHAMMED, as well as the two suicide boat bombers Abd Al-Mushin Al-Taifi (deceased) (and a suspect in the August 1998 Embassy bombings) and Hassan Said Awadh Khemeri (deceased) carried out their plan to bomb the U.S.S. Cole by ramming a small boat loaded with explosives into the side of the ship as it was anchored in the harbor at Aden, Yemen, resulting in the deaths of 17 American sailors and injuring an additional 39.

151. The Yemeni government investigation reported that the terrorists behind the attack were Islamic extremists who fought the Soviets in the Afghan War and who were tied to the EGYPTIAN ISLAMIC JIHAD and AL QAEDA and who were trained in

Afghanistan. Four were arrested in Yemen. Jamil Qasari Saeed Mohammed was arrested a year later in Pakistan. After his arrest, AL-BADAWI admitted that he received his instructions to bomb the U.S.S. Cole from AL QAEDA member AL-HARAZI who he had met during the war in Afghanistan.

152. On June 20, 2001, in a videotape released to the press BIN LADEN appears to boast that his followers bombed the U.S.S. Cole. The 100-minute tape depicts BIN LADEN, wearing a Yemeni dagger on his belt and reciting a poem to show that he and AL QAEDA were not afraid of attacking the United States military:

*And in Aden, they charged and destroyed
a destroyer that fearsome people fear,
one that evokes horror when it docks and
when it sails.*

Video of the damaged destroyer was superimposed with the words in Arabic, "the destruction of the American Destroyer Cole."

AL QAEDA -SAUDI HIJACKING

153. On October 14, 2000, just two days after the attack on the U.S.S. Cole, two Saudis hijacked a Boeing 777 from Saudi Arabia and had it flown to Baghdad, IRAQ. The hijackers were given "asylum" in IRAQ. They were extensively interviewed in the Iraqi press and criticized the Saudi government.

154. Upon information and belief, this hijacking was a message between BIN LADEN and IRAQ intended to demonstrate that AL QAEDA terrorists could seize control of large commercial aircraft that could be used as a weapon in the hands of suicide terrorists, foreshadowing a well coordinated attack in the planning stages at the time and less than a year away from execution.

IRAQI THREATS

155. On January 22, 2001, the Arab language newspaper Al Watan Al Arabi, reported that SADDAM HUSSEIN and his sons had called for an Arab alliance to **"launch a global terrorist war against the United States and its allies."** The newspaper characterized HUSSEIN's statement as calling for an uncompromising campaign and **"scorched earth policy."**

156. In May 2001, AL QAEDA operatives in Kurdistan assassinated Franso Hariri, a member of the Kurdish Democratic Party, as part of a deal with SADDAM HUSSEIN. The killing of Hariri created instability in the region by damaging relations between the co-leaders of Kurdistan. This benefitted the HUSSEIN regime in IRAQ.

157. In May 2001, Iraqi physician and kidney specialist Dr. Mohammed Khayal was dispatched from Baghdad to Afghanistan for three days to treat BIN LADEN's kidney problem, further demonstrating the important relationship

between IRAQ and BIN LADEN less than four months before the single largest terrorist attack in history.

158. On May 29, 2001, Wadih El-Hage, a U.S. citizen believed to be BIN LADEN's personal secretary, was convicted in the Southern District of New York, along with Mohamed Sadeek Odeh, Mohammed Rashed Daoud Al-'Owali and Khalfan Khamis Mohamed, for participating in the conspiracy to bomb the United States Embassies in Nairobi and Dar es Salaam in August of 1998. BIN LADEN and other AL QAEDA members were indicted but remain at large.¹

IRAQI FORE-KNOWLEDGE OF THE SEPTEMBER 11TH ATTACKS

Al Nasiriyah News Article

159. IRAQ knew in advance that AL QAEDA was planning to attack U.S. landmarks and civilians in September 2001 in Washington and New York and supported the planned attacks.

160. Upon information and belief, Iraqi news columnist Naeem Abd Mulhalhal has been connected with IRAQI INTELLIGENCE since the early 1980s. He comments on matters of IRAQI political interest for the Al Nasiriyah newspaper, a weekly paper published in the provincial capital city of Al

¹Khalid al Fawwaz was arrested on September 28, 1998 in London and Adel Mohammed Abdul Almagid Adul Bary, and Ibrahim Eidarous were arrested in London in July 1999, and are awaiting trial, while Mamdouh Mahmud Salim, an Iraqi and Ali Abdelseoud Mohamed were arrested in the United States and are also awaiting trial for the Embassy bombings.

Nasiriyah. On September 1, 2001, he was honored for his "documentation of important events and heroic deeds that proud Iraqis have accomplished" and praised by SADDAM HUSSEIN. In addition, Al Nasiriyah also contains a military base that is believed to contain a chemical weapons storage facility. IRAQ had previously denied access to this base to UN weapons inspectors. It was visited by ZAWAHIRI as early as 1998 and AL QAEDA terrorists trained there for several years.

161. On July 21, 2001, approximately six weeks **before** the September 11th attacks, IRAQI columnist Mulhalhal reported that BIN LADEN was making plans to **"demolish the Pentagon after he destroys the White House."**

162. Mulhalhal's July 21, 2001, article further informed that BIN LADEN would strike America **"on the arm that is already hurting."** Upon information and belief, this references a second IRAQI sponsored attack on the World Trade Center. This interpretation is further bolstered by another reference to New York as **"[BIN LADEN] will curse the memory of Frank Sinatra every time he hears his songs."** (e.g., "New York, New York") identifying New York, New York as a target.

163. Mulhalhal further indicated, **"The wings of a dove and the bullet are all but one and the same in the heart of a believer."** (Emphasis supplied) This appears to be a

reference to the use of commercial aircraft as a weapon. The information was reported in an IRAQI newspaper who's editor-in-chief serves as secretary to UDAY HUSSEIN'S Iraqi Syndicate of Journalists. The article expressed IRAQI admiration and support for BIN LADEN's plans and its appearance in the newspaper would clearly have to be endorsed by SADDAM HUSSEIN himself.

164. All IRAQI news media are strictly controlled and censored by the government of SADDAM HUSSEIN and is under the direct oversight of UDAY HUSSEIN. Various members of IRAQI INTELLIGENCE work at and control the content of each and every newspaper published inside IRAQ.

165. The information contained in Mulhalhal's published statements were known prior to the events of September 11th, and because Mulhalhal has ties to IRAQI intelligence, it demonstrates foreknowledge of the planned attacks by BIN LADEN and indicates support by IRAQI co-conspirators.

166. IRAQ's July 21, 2001, public statements also exemplify the BIN LADEN pattern of publicly threatening violent strikes against the United States prior to and after committing them. For example, weeks before the August 1998 AL QAEDA attacks on the U.S. embassies in Africa, BIN LADEN threatened U.S. civilians and shortly thereafter, bombed the

embassies in Kenya and Tanzania within minutes of each other, killing 223 civilians.

167. Additionally, after the suicide boat bombing of the U.S.S. Cole in Yemen in October 2000, BIN LADEN publicly threatened violence against America while wearing traditional Yemeni clothing including a Yemeni war dagger. BIN LADEN sought media attention to taunt the United States and recruit additional Muslim supporters.

PREPARATION FOR SEPTEMBER 11TH ATTACKS

168. According to U.S. and foreign intelligence officials, in the Spring of 2000, IRAQI INTELLIGENCE agents met with September 11th pilot hijackers ZAID SAMIR JARRAH and MARWAN AL-SHEHHI in Dubai, UAE in order to advance the hijacking of U.S. aircraft to commit terrorist acts. Not long after the meeting, AL-SHEHHI entered the United States on May 29 and JARRAH entered on June 27, to begin preparations for attacks.

169. According to Czech intelligence sources, on June 2, 2000, MOHAMMAD ATTA, a pilot in training and the operational leader of the September 11, 2001 terrorist attacks, traveled to Prague to meet other co-conspirators. The following day, ATTA arrived at Newark International Airport in the United States.

170. According to the FBI, from July 2000 through March 2001, ATTA, SHEHHI, HANJOUR, JARRAH and HAMZI traveled to the U.S. where they resided and took pilot courses to learn to fly the Boeing 747, 757, 767 and Airbus A320 in furtherance of the AL QAEDA IRAQI conspiracy to hijack U.S. aircraft to commit terrorist acts.

171. Upon information and belief, sometime between April 8-11, 2001, ATTA left Florida where he was a flight student, to again meet in Prague with IRAQI INTELLIGENCE agent AL-ANI. ATTA returned to Florida and within two weeks opened a Sun County Bank account with \$100,000 sent through a money changer in the UAE. Later in 2001, AL-ANI was expelled from the Czech Republic for espionage activities. Other intelligence reports indicate that AL-ANI met with another September 11th hijacker, KHALID AL MIDHAR as well.

172. Italian security sources reported that IRAQ made use of its embassy in Rome to foster and cultivate IRAQ's partnership with BIN LADEN and AL QAEDA. HABIB FARIS ABDULLAH AL-MAMOURI, a general in the IRAQI SECRET SERVICE, and a member of IRAQ's M-8 Special Operations branch, who was responsible for developing links with Islamist militants in Pakistan and Afghanistan, was stationed in Rome as an "instructor" for children of Iraqi diplomats. AL-MAMOURI met with September 11th pilot hijacker MOHAMMED ATTA in Rome,

Hamburg and Prague. AL-MAMOURI has not been seen in Rome since July 2001, shortly after he last met with ATTA.

173. Between on or about April 23, 2001, and on or about June 29, 2001, SATAM AL SUQAMI (Flt. 11), WALEED AL SHEHRI (Flt. 11), AHMED AL GHAMDI (Flt. 175), MAJED MOQED (Flt. 77), AHMED AL NAMI (Flt. 93), HAMZA AL GHAMDI (Flt. 175), MOHALD AL SHEHRI (Flt. 175), WAIL AL SHEHRI (Flt. 11), AHMED AL HAZNAWI (Flt. 93), and FAYEZ AHMED (Flt. 175), traveled from various points in the world to the United States.

174. The FBI has reported that ATTA visited commercial crop dusting aircraft facilities in Florida in March and August of 2001. In the wake of the September 11th attacks, authorities concluded that ATTA was investigating the possibility of spraying chemical or biological weapons on U.S. civilians. In July and August 2001, on several occasions several other Middle Eastern men also visited the same crop dusting facility.

175. On July 7, 2001 two members of the IRAQ MUKHABARAT, ABU AGAB and ABU WA'EL traveled together from Germany to Afghanistan and eventually to Kurdistan. ABU WA'EL trained at AL QAEDA terror camps and became the authority for fundamentalist groups operating in Kurdistan, intent on crushing opposition to SADDAM HUSSEIN.

176. The FBI reported that in furtherance of his participation in the hijacking conspiracy, ZACARIAS MOUSSAOUI purchased flight deck videos for the Boeing 747 on June 20, 2001, and took a three-day Boeing 747 simulator course in Minneapolis, Minnesota on August 13-15, 2001. He also purchased two knives in Oklahoma City, Oklahoma on August 3, 2001. MOUSSAOUI received approximately \$14,000 from RAMZI BIN AL-SHIBHI on August 13, 2001.

177. U.S. government officials reported that in the summer of 2001, FAYEZ BANIHAMMAD (Flt. 175), SAEED ALGHAMDI (Flt. 93), HAMZA AL GHAMDI (Flt. 175), WALEED AL SHEHRI (Flt. 11), ZIAD JARRAH (Flt. 93), SATAM AL SUQAMI (Flt. 11), MOHALD AL SHEHRI (Flt. 175), AHMED AL GHAMDI (Flt. 93), and AHMED AL HAZNAWI (Flt. 93) each opened a Florida Sun Trust Bank account with a cash deposit. These and other bank accounts were used by the 9/11 hijackers for living expenses, travel, pilot training, weapons and other incidentals and served as places where AL QAEDA operatives could wire money to support the terrorist conspiracy in the months and weeks leading up to September 11, 2001.

178. On September 9, 2001, BIN LADEN and other AL QAEDA members, OMAR and other members of the TALIBAN, carried out their plan to assassinate Ahmad Shah Masood, the military leader of the Afghanistan Northern Alliance opposition forces

that had been fighting the TALIBAN for many years. AL QAEDA terrorists posed as television journalists seeking an interview with Masood. The video camera was armed with explosives and when detonated at the purported interview, killed Ahmad Shah Masood, one of the suicide terrorists and other high ranking members of the Afghanistan Northern Alliance opposition forces.

179. This assassination solidified BIN LADEN's asylum and protection in TALIBAN controlled Afghanistan and cleared the way for AL QAEDA's unprecedented attack on the United States two days later. The TALIBAN would continue to refuse to surrender BIN LADEN or AL QAEDA members to the United States after the September 11th attacks.

SEPTEMBER 11TH ATTACKS

180. On September 11, 2001, defendants MOHAMMED ATTA, ABDUL ALZIZ AL OMARI , WAIL AL-SHEHRI, WALEED AL-SHEHRI, and SATAM AL SUQAMI hijacked American Airlines Flight 11 carrying 92 persons, bound from Boston to Los Angeles, and at approximately 8:46 a.m., crashed it into the North Tower of the World Trade Center in New York.

181. On September 11, 2001, defendants MARWAN AL-SHEHHI, FAYEZ AHMED, A/K/A "BANIHAMMAD FAYEZ," AHMED AL-GHAMDI, HAMZA AL-GHAMDI, AND MOHAUD AL-SHEHRI hijacked United Airlines Flight 175 carrying 65 persons, bound from Boston to Los

Angeles, and at approximately 9:02 a.m., crashed it into the South Tower of the World Trade Center in New York.

182. On September 11, 2001, defendants KHALID AL-MIHDHAR, NAWAF AL-HAZMI, HANI HANJOUR, SALEM AL-HAZMI, and MAJED MOQED hijacked American Airlines Flight 77 carrying 64 persons, bound from Virginia to Los Angeles, and at approximately 9:37 a.m., crashed it into the Pentagon.

183. On September 11, 2001, defendants ZIAD JARRAH, AHMED AL-HAZNAWI, SAEED AL-GHAMDI, and AHMED AL-NAMI hijacked United Airlines Flight 93 carrying 45 persons, bound from Newark to San Francisco with the intention of crashing it into a target in Washington, D.C., probably the White House. At approximately 10:10 a.m, because of the heroic intervention of Flight 93's passengers, the aircraft crashed into a field in Shanksville, Pennsylvania.

184. At approximately 9:50 a.m., the South Tower of the World Trade Center collapsed; at approximately 10:29 a.m., the North Tower of the World Trade Center collapsed. Defendants intentionally caused the deaths of and injuries to thousands of innocent persons.

185. The hijackings referenced above were the culmination of a conspiracy among defendants to attack the United States and murder United States citizens.

POST SEPTEMBER 11TH

186. On two videotapes made by AL QAEDA in September and October 2001, BIN LADEN took credit for the September 11th attacks and stated that the attacks went better than expected.

187. SADDAM HUSSEIN is the only national leader in the world who publicly praised the attacks and said that the United States of America deserved them. IRAQ has offered sanctuary to BIN LADEN and TALIBAN leaders. Abu Zeinab al-Quarairy, an IRAQI defector who was an officer in the MUKHABARAT and was familiar with its operations, reported that when he learned about the World Trade Center attacks on September 11th, he turned to a friend and said, "That's ours."

188. Upon information and belief, several hundred AL QAEDA members, including ABU ABDUL RAHMAN, fled Afghanistan for Kurdistan in IRAQ to try to take control of towns not under the control of SADDAM HUSSEIN and IRAQ, including Halabja, Tawela and Biyarah. On September 23, 2001, Kurdish forces ousted Ansar al Islam from Halabja, but the Islamic fundamentalist group remained in control of Tawela and Biyarah.

189. Israeli intelligence sources verify that for the past two years, IRAQI INTELLIGENCE officers have been shuttling back and forth between Baghdad and Afghanistan.

According to the Israelis, one of these IRAQI INTELLIGENCE officers, SALAH SULEIMAN, was captured in October 2001 by Pakistani officials near the border between Pakistan and Afghanistan.

190. In March 2002, U.S. and allied forces discovered a laboratory near Kandahar, Afghanistan that was designed to produce weapons grade anthrax. Upon information and belief, IRAQI INTELLIGENCE agents were supplying technology, materials and training to develop this facility in coordination with AL QAEDA and the TALIBAN.

191. Instruction documents on an artillery weapon known as the "Super Gun" were found in AL QAEDA camps when they were captured by U.S. forces in the winter of 2001-2002. IRAQ is the only state known to have purchased and assembled the super gun, a weapon so large it must be constructed in segments. It has a range of several hundred miles.

192. ABU ZUBAYDH was arrested in April 2002 in Pakistan near the border of Afghanistan, along with other AL QAEDA members. Documents and other evidence were found at the scene of the arrest that demonstrate AL QAEDA plans for past and future terrorist activities. ZUBAYDH has made self-incriminating statements about his high level role in AL QAEDA and his close connection to BIN LADEN. He has further

identified several high level AL QAEDA officers, including, but not limited to, KHALID SHEIKH MOHAMMED.

193. On April 22, 2002, during a court appearance in the Eastern District of Virginia, ZACARIAS MOUSSAOUI stated that his Court appointed lawyers had "no understanding of terrorism, Muslims, Mujadeen," that he wanted to "fight against the evil force of the [U.S.] federal government" and called for the destruction of the United States and Israel.

IRAN

194. Powerful government officials in IRAN provided long-term assistance to OSAMA BIN LADEN and his army of allied Islamists. Iran's support enabled Bin Laden to maintain a steady course of violent activities against America and American interests culminating on September 11, 2001.

195. In 1996, when OSAMA BIN LADEN left the SUDAN and enjoyed sanctuary in largely Taliban-controlled Afghanistan, he notably maintained a relationship with the Iranian-supported Taliban opposition leader, defendant GULBUDDIN HEKMATYAR who was residing in Tehran. BIN LADEN and HEKMATYAR met in the 1980s while the Afghani HEKMATYAR was leading Hezb-e-Islami, a Pakistan-based group fighting the Soviet occupation of Afghanistan. Their cooperative relationship lasted over a decade.

196. In the mid nineties this cooperation consisted of jointly supported military training camps and drug smuggling operations in Afghanistan that provided funding for both Hezb-e-Islami and AL QAEDA. HEKMATYAR was welcomed in IRAN, because he shared IRAN's opposition to the Taliban government. The religious leaders in IRAN opposed the TALIBAN for two reasons: religious and economic.

197. In the mid nineties, IRAN as a Shiia Muslim nation was actively competing with Wahabi Muslim-Saudi Arabia for influence in the fledgling Islamic nation of Afghanistan. At the same time IRAN was competing with Afghanistan to be the site of a planned gas pipeline from Central Asia to the Caspian Sea.

198. The conflict between IRAN and the TALIBAN did not, however, prevent Iranian assistance to BIN LADEN's AL QAEDA, directly and through HEKMATYAR. This assistance is ongoing. Following the September 11th attacks, BIN LADEN, HEKMATYAR and Iranian officials formed a new alliance called LASHKAR FEDAYAN-E-ISLAMI (ISLAMIC MARTYRS BRIGADE) based in Northeastern Afghanistan with the goal of launching suicide attacks against American troops.

199. According to a September 26, 2002, interview with Salauddin Safi, a military commander under HEKMATYAR living in Pakistan, IRAN "is helping with money and weapons," for

suicide attacks on Americans in Afghanistan. Safi explained the relationship between IRAN and HEKMATYAR saying, "IRAN needs HEKMATYAR because IRAN is an enemy of the United States and HEKMATYAR is too," despite the fact that the United States removed the TALIBAN from Afghanistan. IRAN continues to seek influence and control in Afghanistan and to reject the American presence there and in other parts of the Middle East.

200. In addition to HEKMATYAR, BIN LADEN maintained associations with other Iranian sponsored terrorists. The International Policy Institute for Counter Terrorism reports that in 1995 and 1996, BIN LADEN approached IRAN'S MINISTRY OF INTELLIGENCE AND SECURITY (MOIS) and offered to join forces against America. This was followed by a number of meetings between BIN LADEN, Iranian operatives and leaders of the Iranian government's proxy army, Hezbollah. BIN LADEN met with IMAD MUGHNIYEH, Hezbollah's director of operations at a meeting sponsored by the Iranian MOIS in Iran in 1996, but it was not the first or only meeting between those two terrorists.

201. A witness at the United States Federal court trial in New York against some of the United States Embassy terrorist bombers reported that contacts between BIN LADEN

and MUGHNIYEH began before BIN LADEN even left the SUDAN in 1996. The former AL QAEDA member, ALI MOHAMMED testified,

I arranged security for a meeting in the SUDAN between Mughniyah, Hezbollah's chief, and Bin Laden."

"Hezbollah provided explosives training for al-Qaeda and al-Jihad...Iran also used Hezbollah to supply explosives that were disguised to look like rocks."

202. Yossef Bodansky, Director of the House of Representatives Task Force on terrorism and unconventional warfare, reported that right after a speech on June 7, 1996, in which Iranian Spiritual Leader AYATOLLAH ALI KHAMENEI declared that Hezbollah must reach "all continents and countries," the IRANIAN government hosted a meeting of international terrorists. At this meeting, a committee called the "Committee Of Three" was created to preside over an International Hezbollah. Leading the committee were IMAD MUGHNIYAH, BIN LADEN and AHMAD SALAH (Salim), of the Egyptian Islamic Jihad. An Iranian leader, MAHDI CHAMRAN SAVEHT (who's official title with the government is Director of the Foundation for Preservation of the Values of the Sacred Defense), would direct the committee's work in sponsoring terrorist attacks against the United States and others.

203. At an October 1997 meeting between terrorist organizations and high level Iranian officials, including GENERAL MOHSEN REZA'I, former commander of the ISLAMIC

REVOLUTIONARY GUARD CORPS (IRGC) who is now in charge of the reorganization of IRAN's security apparatus; GENERAL YAHYA RAHIM SAFAVI, head of the IRGC; Information Minister QORBAN 'ALI NAJAF'ABADI; former minister 'ALI FALAHYAN; MOHAMMED MOHAMMADI RAYSHAHRI, special adviser to Iran's supreme leader ALI KHAMENE'I; and HOSEYN SHAYKH OL-ESLMAN, former assistant foreign minister, plans were made to increase support of anti U.S. terrorism. The report stated "Reza'i informed the participants that Iran would double the amount of material and logistical support for those organizations engaged in defending the revolution." "Defending the revolution" is a rallying cry for acts of violence against the west.

204. On September 14, 1998, the U.S. requested Germany extradite AL QAEDA Member Mamdouh Mahmud Salim, and stated that during the period 1992-1996, while BIN LADEN lived in SUDAN, AL QAEDA and the Sudanese Government worked closely together on training and arming terrorists. According to the FBI, AL QAEDA "agreed to put aside its differences with Shi'a Muslim terrorist organizations, including the Government of IRAN and its affiliated terrorist group Hezbollah, to cooperate against the perceived common enemy, the United States and its allies."

205. In 1998, prior to the bombings of the U.S. embassies in East Africa, a representative of BIN LADEN

reportedly met again with an official of the Iranian government in order to establish an "anti-U.S. alliance." By this time, communication between OSAMA BIN LADEN and Iranians was regular and frequent. Investigators reported that 10% of the calls made from BIN LADEN's satellite phone were to IRAN.

206. Running parallel to their interest in anti-American activities, BIN LADEN and IRAN were active in promoting an Islamic government in Albania and Kosovo. According to the *Times of London* March 22, 1998, in February 16, 1998, BIN LADEN and the IRANIAN REVOLUTIONARY GUARDS signed a pact consolidating their operations in Albania and Kosovo. They created financial support networks by setting up banks and humanitarian organizations. Small factories and businesses were encouraged with loans and this helped create jobs and bolster neighborhood economies.

207. Muslim proselytizing organizations like AL-HARAMAIN and AL MUWAFQA attracted young Albanians who were then recruited for training as holy warriors at training camps that were being established in remote areas of the country.

208. This work did not distract the clerics of IRAN from continuing to support other AL QAEDA missions. German authorities debriefed terrorists in custody and learned that an important and virulent AL QAEDA combat commander MOHAMMED SARKAWI lived and worked in Tehran in the months before

September 11, 2001. Around the time of the September 11 attacks SARKAWI traveled to Afghanistan but returned to IRAN before the American bombing campaign began in the fall of 2001.

209. SARKAWI's movements were tracked by monitoring his satellite phone, according to German information. Germany's interest in SARKAWI is based on its belief that he is involved in a terrorist group called AL TAWHID and that he assisted a hundred or more AL QAEDA fighters who were fleeing Afghanistan by arranging for funds, passports, escape routes (sometimes through IRAN) and sanctuary. Defense Secretary Donald Rumsfeld confirmed the flight of AL QAEDA members to or through Iran.

210. After the September 11th attacks, IRAN provided an escape route for two Egyptian AL QAEDA members on the FBI's most wanted list, SAIF AL ADEL and MAHFOUZ OULD AL-WALID. Additionally, American intelligence reports that Al-Adel and top AL QAEDA leader ABU HAFS, "the Mauritanian", were in Eastern Iran where, the Washington Post reported they might be planning further AL QAEDA operations.

211. HAJI MOHAMAD AKRAM, a captured BIN LADEN aide, told an interviewer from the Christian Science Monitor that BIN LADEN fled Afghanistan to IRAN in November 2001. AKRAM said that at the time, BIN LADEN had offers of sanctuary from IRAQ

and from Iran. AKRAM claimed that IRAN distributed money to AL QAEDA for distribution to terrorist soldiers and that he himself had received the equivalent of \$1400.

212. Other AL QAEDA terrorists have been located in a dozen camps around Tehran that serve as underground railroads for terrorists and their families en route through IRAN for Beirut and Syria as well as a route for the smuggling of AL QAEDA and Hezbollah assets, gold and diamonds from Pakistan to SUDAN.

213. SARKAWI is considered a major player in the Iranian AL QAEDA activities. He is also suspected of assisting in the murder of American diplomat Laurence Foley on October 28, 2002, in Amman, Jordan. Jordan's Foreign Minister, Marwan Muashe, reports that two men who admitted to the killing implicated SARKAWI, claiming he provided them with machine guns, grenades and money to attack embassies and foreign diplomats in Jordan.

214. At the time of the September 11th attacks, Iranian military officers, including GENERAL ALI BLOKIAN, formerly an advisor to Hezbollah in Lebanon, were assisting Afghanis on the ground near the Iranian border region. The bodies of three IRANIAN REVOLUTIONARY GUARDS were found in the west Afghanistan province of Herat after the U.S. air strikes against the TALIBAN. Ismail Khan, an Iranian ally, ruled

this district. Because he is working to challenge Kabul's rule, the IRANIAN REVOLUTIONARY GUARD is providing advice and assistance to Kahn and others. Afghan defense officials claim that elite forces from the IRANIAN REVOLUTIONARY GUARD are providing arms and ammunition to Iranian-friendly commanders.

215. A U.S. government report in 2000, Patterns of Global Terrorism alleged that "IRAN remained the most active state sponsor of terrorism."

Its Revolutionary Guard Corps (IRGC) and Ministry of Intelligence and Security (MOIS) continued to be involved in the planning and the execution of terrorist acts and continued to support a variety of groups that use terrorism to pursue their goals. (emphasis supplied.)

216. The Iranian pattern of terrorism support has been ongoing for many years. Indeed, by providing training, facilities, planning, logistics, escape routes and most importantly leadership, IRAN enabled BIN LADEN's army to carry out acts of terrorism it otherwise would be incapable of accomplishing. Likewise, without terrorists like BIN LADEN and Hezbollah, IRAN would lose a most effective weapon against the United States and the West.

HAMBURG AL-QAEDA CELL

217. On August 28, 2002, German prosecutors brought charges against MOUNIR EL-MOTASSADEQ (or "el-Motassadeq"), a

Moroccan man who supported members of the Hamburg AL QAEDA terrorist cell and helped to plan and carry out the September 11, 2001 terrorist attacks.

218. MOUNIR EL-MOTASSADEQ is an AL QAEDA co-conspirator. His indictment was the first formal criminal charge brought by German authorities in connection with the September 11, 2001 attacks. EL-MOTASSADEQ was arrested in November of 2001 on evidence that he had access to the bank account of one of the suicide hijackers and arranged wire transfers to hijackers while they were learning to fly in the United States.

219. When arrested in 2001, prosecutors said EL-MOTASSADEQ was a close associate of MOHAMED ATTA, a suspected ringleader of the plot. In 1996, EL-MOTASSADEQ was one of the witnesses who signed Mr. ATTA's will. EL-MOTASSADEQ managed the finances of another hijacker, MARWAN AL-SHEHHI, and that money was used to help AL-SHEHHI pay for his flight lessons in the United States and cover living expenses here. According to the criminal indictment, these funds were used to support members of the terrorist group AL QAEDA.

220. EL-MOTASSADEQ admitted that he knew the September 11, 2001, hijackers, but he provided conflicting versions of the nature and intensity of those contacts. At times, EL-MOTASSADEQ said he knew them only through the Al Quds mosque,

which was attended by ATTA and other hijackers. On other occasions, he said he had visited the apartment on Marienstrasse where ATTA lived. EL-MOTASSADEQ and ATTA were both students at TUHH University in Hamburg.

221. In July 2000, EL-MOTASSADEQ traveled to Karachi, Pakistan for a 'vacation.' The Pakistanis later confirmed that he had been in the country at this time and that there were indications that he had visited an AL QAEDA camp in Afghanistan. In May 2001, EL-MOTASSADEQ visited the State nuclear plant near Hamburg, Germany.

222. The German investigation revealed that in summer of 1999 or earlier, a group of Muslim students in Hamburg joined forces with the express goal of carrying out, in countries of Western culture, especially in the United States, the "Holy War" ("Jihad") by means of international terror. The group's members included MOHAMMED ATTA, MARWAN YOUSEF MOHAMED RASHED AL-SHEHHI (or "al-Shehhi"), and ZIAD SAMIR JARRAH (or "JARRAH"), (hijackers, all of whom died in the course of the attacks), co-conspirators, or Defendants RAMZI MOHAMMED ABDULLAH BINALSHIBH (a/k/a Ramzi Mohamed Abdallah Omar), ZAKARLYA ESSABAR, SAID BAHAJI, as well as MOUNIR EL-MOTASSADEQ.

223. Initially, the principal meeting point of the Hamburg cell was the apartment rented by ATTA, BAHAJI and

BINALSHIBH in Hamburg-Marburg, which temporarily served as AL-SHEHHI's residence, too. EL-MOTASSADEQ, ESSABAR and JARRAH convened for meetings of the group at this location. In September 1999, the apartment AL-SHEHHI rented nearby served as an alternative base of operations. In October of 1999, after AL-SHEHHI and ATTA moved into the second apartment, it also became the primary address of EL-MOTASSADEQ.

224. In October of 1999 or earlier, the group's members finalized their terrorist scheme, which called for the use of airplanes in "jihad" to kill as many "infidels" in the United States as possible. In order to coordinate details and logistical support with the responsible representatives of the international terrorism network, they resolved to travel to Afghanistan in two groups.

225. In late November of 1999, the three hijackers (ATTA, AL-SHEHHI and JARRAH) and BINALSHIBH traveled on almost identical dates to an AL QAEDA training camp. Aside from providing training in military operations, the camps served to fuel radical extremist ideology and foster an inner resolve among recruits to sacrifice their own lives fighting the "godless enemies." SHEHHI went back to Hamburg in early January 2000 (through late March 2000). JARRAH did not return to Hamburg until late January. ATTA stayed in

Afghanistan until late February and BINALSHIBH re-entered Germany in March 2000.

226. In spring of 2000, a second group traveled to Afghanistan. EL-MOTASSADEQ flew from Hamburg to Karachi on May 22, 2000, and returned on August 1, 2000. In the meantime, he underwent military training in a camp near Kandahar, Afghanistan.

227. In accordance with the plans for the attacks discussed in Afghanistan, the three terrorists began making arrangements for pilot training in the United States upon their return. Accordingly, in March 2000, Atta contacted 31 flight schools in the United States via email from Hamburg, inquiring about the possibilities and conditions of flight training for two or three men from different Arab countries. On March 26, 2000, JARRAH signed an agreement to receive pilot training at the Florida Flight Training Center in Venice, Florida, and on March 30, 2000, transferred the amount of 349 German Marks to the account of the flight school's Munich representative.

228. On May 25, 2000, JARRAH applied for a United States entry visa, which he received without difficulty, as ATIA had before him, on May 18, 2000. AL-SHEHHI had received his United States entry visa from the United States consulate in

Dubai, United Arab Emirates (UAE), on January 10, 2000. All three terrorists had previously obtained new passports.

229. Following their entry into the United States (AL-SHEHHI arrived on May 29, 2000, ATTA on June 3, 2000), AL-SHEHHI and ATTA opened a joint bank account on July 18, 2000, with Sun Trust Bank in Venice, Florida, through which they obtained financing and material support for their stay in the United States - from backers within the international terrorist network. On July 7, 2000, they started taking flight lessons together at the flight school Hoffman Aviation in Venice, Florida. By December 21, 2000, they had successfully completed their training, receiving professional pilot licenses from the Federal Aviation Administration.

230. ATTA and AL-SHEHHI then put their acquired skills to the test on a Boeing 727 flight simulator at the Simulations Center in Opa-Locka, Florida, in December 2000, and by taking several exercise flights at the Advanced Aviation Flight Training School in Lawrenceville, Georgia, and at the flight school in Decatur, Georgia, in January and February 2001, respectively.

231. JARRAH entered the United States on June 26, 2000, and, until January 13, 2001, underwent pilot training at the Florida Flight Training Center (F.F.T.C.) in Venice, Florida, where he obtained a private pilot license. Between December

15, 2000, and January 5, 2001, he took flight lessons at the Aeroservice Aviation Center in Virginia Gardens, Florida.

232. BINALSHIBH's applications for a non-immigrant visa for the United States were denied and he was unable to train in Florida with JARRAH.

233. To take BINALSHIBH's place, ESSABAR was to be sent to the United States to undergo pilot training. Like ATTA, AL-SHEHHI and JARRAH before him, ESSABAR attempted to obscure his visit to Pakistan from U.S. authorities by obtaining a new passport from the Moroccan embassy in Berlin on October 24, 2000. United States authorities however, denied ESSABAR's visa applications. His plan to become a suicide hijacker could not be realized. Instead, ZACARIAS MOUSSAOUI (currently detained and indicted in the United States for his involvement in the preparations for the attacks of September 11, 2001), traveled to the United States following an eight-week visit to Pakistan, and enrolled in flight school. However, due to MOUSSAOUI's arrest on August 17, 2001, he never completed his training.

234. EL-MOTASSADEQ, and the other AL QAEDA co-conspirators who remained in Hamburg, remained involved in the preparing for the attacks. In particular, they were responsible for ensuring that the terrorists and ZACARIAS

MOUSSAOUI had sufficient funds for their stay and training in the United States.

235. Several meetings were held for group members in Germany and Spain for the purpose of coordinating those who remained in Hamburg and those who had traveled to the United States. Accordingly, BINALSHIBH and JARRAH met on January 4, 2001, in Bochum or Dusseldorf. Later, BINALSHIBH traveled to Berlin to meet ATTA, who had arrived there no later than January 6, 2001, after spending time in Spain ATTA returned to the United States on January 10, 2001. Another meeting between ATTA and BINALSHIBH on July 17 or July 18, 2001, in Tarragona, Spain, served the purpose of coordinating the exact times of the attacks.

236. EL-MOTASSADEQ, together with Bahaji, acted as the resident administrator of the terror organization in Hamburg. EL-MOTASSADEQ's chief responsibility consisted of securing funding for the group's terrorist activities. He made use of AL-SHEHHI's account for financing. EL-MOTASSADEQ made sure that the account received sizeable support payments from sources in the United Arab Emirates and elsewhere by transferring tuition money to maintain the status of AL-SHEHHI as a student, allowing AL-SHEHHI to remain in Germany. Shortly before AL-SHEHHI left for Afghanistan, in late November 1999, EL-MOTASSADEQ also gained control over the AL-

SHEHHI's bank account and bank card which he used to transact financial and other personal business on behalf of AL-SHEHHI and cover up the latter's absence. The account and card were also used to distribute funds. EL-MOTASSADEQ transferred funds from AL-SHEHHI's to Binalshibh's account which the latter passed on to AL-SHEHHI in the United States, and this money was used to finance AL-SHEHHI's flight training. After AL-SHEHHI left Germany, several cash withdrawals were made to provide funding for the intended flight training of Binalshibh and Essabar and to benefit other cell members and promote acts of international terrorism.

STATEMENTS OF CAPTURED AL QAEDA MEMBERS

237. UMAR FARUQ was an admitted terrorist co-conspirator, and a member of the AL QAEDA terrorist organization who was arrested in or about May 2002. According to the confession of ABU ZUBAYDAH, a top AL QAEDA leader detained by the United States authorities, UMAR FARUQ was senior AL QAEDA representative in Southern Asia. An interrogation of UMAR FARUQ was conducted by United States authorities at the United States air force base in Baghram, Afghanistan, on May 23, 2002.

238. During a custodial interview on Sept 9, 2002, UMAR FARUQ confirmed that he was AL QAEDA's senior representative to Southeast Asia and was initially sent to the region by ABU

ZUBAYDAH and IBN SHEIK AL-LIBI to plan large-scale attacks against United States interests in Indonesia, Malaysia, Philippines, Singapore, Thailand, Taiwan, Vietnam and Cambodia. In particular, FARUQ prepared a plan to conduct simultaneous car/truck bomb attacks against United States embassies in the region to take place on or about September 11, 2002.

239. ABDELGHANI MZOUZI is a co-conspirator who provided logistical support to MOHAMMED ATTA and other suicide hijackers. ABDELGHANI MZOUZI is also alleged to have attended terrorist training camps in Afghanistan in the summer of 2000. He is currently jailed in Germany. ABDELGHANI MZOUZI provided material as logistical support to RAMZI BIN AL SHIBH and AL QAEDA.

240. HAJI JAMSHED is an AL QAEDA co-conspirator and a principal financier in the creation and management of AL QAEDA training camps.

241. AL QAEDA leader ABD AL-RAHIM AL-NASHIRI, one of the network's operations chief in the Persian Gulf, was recently captured by United States officials. And al-RAHIM AL-NASHIRI (a/k/a Umar Mohammed al-Harazi, a/k/a Abu Bilal al-Makki) is a known AL QAEDA operative who engaged in acts of international terrorism.

SAUDI ARABIAN DEFENDANTS

242. Upon information and belief, there were and are, a large number of Saudi citizens and members of The Saudi royal family who support BIN LADEN. High ranking officials in the Saudi government and Saudi businessmen have provided money to support BIN LADEN and AL QAEDA. Money to support BIN LADEN and AL QAEDA was transferred using charitable institutions, businesses and banks. In many cases, these entities shared management and or offices, creating an interlocking financing structure that obscured the movement, source and ultimate destination of money.

243. OSAMA BIN LADEN was born in Saudi Arabia to a wealthy Saudi family which operated a large multi-national construction company. He and many other Saudis reacted to the Soviet invasion of Afghanistan by taking up arms in the name of Islam. Throughout the 1980's and 1990's and continuing today, many Saudis support and attend the religious schools that preach hatred toward the West. Indeed, 15 of the 19 September 11th hijackers were from Saudi Arabia.

244. The close relationship between OSAMA BIN LADEN and certain of the highest members of the Saudi Royal family stretches back for a long period of time and continues to this day.

245. OSAMA BIN LADEN met with Defendant SULTAN BIN ABDULAZIZ AL SAUD (or "PRINCE SULTAN") after IRAQ invaded Kuwait in August 1990. PRINCE SULTAN is the Second Deputy Prime Minister, Minister of Defense and Aviation, Inspector General, and Chairman of the Board of Saudi Arabian Airlines, which does business in the United States and internationally. In the meeting, OSAMA BIN LADEN offered the engineering equipment available from his family's construction company and suggested bolstering Saudi forces with Saudi militants who Bin Laden was willing to recruit.

246. This offer was also made to Defendant TURKI AL FAISAL AL SAUD (or "PRINCE TURKI"), the then Chief of Saudi Intelligence, or Istakhbarat. PRINCE TURKI had an ongoing relationship with OSAMA BIN LADEN from the time that they first met in Islamabad, Pakistan at the Saudi embassy, during the Soviet Union's occupation of Afghanistan.

247. Defendant MOHAMMED AL FAISAL AL SAUD (or "PRINCE MOHAMMED" or PRINCE MOHAMMED AL FAISAL") is involved in the financing, aiding and abetting and material support of OSAMA BIN LADEN, AL QAEDA, and international terrorism in part through FAISAL ISLAMIC BANK and AL SHAMAL ISLAMIC BANK in the Sudan. PRINCE ABDULLAH AL FAISAL BIN ABDULAZIZ AL SAUD (or "PRINCE ABDULLAH" or "PRINCE ABDULLAH AL FAISAL") and PRINCE NAIF BIN ABDULAZIZ AL SAUD (or "PRINCE NAIF") are also

engaged in the aiding and abetting or material sponsorship of OSAMA BIN LADEN, AL QAEDA, and international terrorism as described herein. SALMAN BIN ABDUL AZIZ AL SAUD (or "PRINCE SALMAN") has also provided material support to OSAMA BIN LADEN, and AL QAEDA.

248. PRINCE TURKI was head of Saudi Arabia's Department of General Intelligence (Istakhbarat) from 1977 until 2001. As such, he was in a position to know the threat posed by BIN LADEN, AL QAEDA, the TALIBAN, and the extremist and violent perversion of jihad and hatred that the Saudi religious schools were encouraging in young students. PRINCE TURKI abruptly left his position in or around August 30, 2001, when he was dismissed as Chief of Saudi Intelligence just prior to the September 11, 2001, attacks.

249. PRINCE TURKI met personally with OSAMA BIN LADEN at least five times while in Pakistan and Afghanistan during the mid-eighties to mid-nineties. PRINCE TURKI also had meetings with the TALIBAN in 1998 and 1999. In 1995, while the Saudi Istakhbarat was headed by PRINCE TURKI, he decided to give massive financial and material support to the TALIBAN.

250. Defendants TURKI AL FAISAL AL SAUD and MOHAMMED AL FAISAL AL SAUD had close financial ties with AL QAEDA financier ZOUAYDI.

251. MULLAH KAKSHAR is a senior TALIBAN official who defected and provided a sworn statement regarding the transfer of funds from wealthy Saudis directly to AL QAEDA and OSAMA BIN LADEN in Afghanistan. MULLAH KAKSHAR's sworn statement implicates PRINCE TURKI as the facilitator of these money transfers in support of the TALIBAN, AL QAEDA, and international terrorism.

252. In 1996, according to various intelligence sources, a group of Saudi princes and prominent Saudi business leaders met in Paris and agreed to continue contributing, sponsoring, aiding and abetting OSAMA BIN LADEN's terrorist network.

253. In July of 1998, a meeting occurred in Kandahar, Afghanistan that led to an agreement between certain Saudis and the TALIBAN. The participants were PRINCE TURKI, the TALIBAN leaders, as well as senior Pakistani intelligence officers of the ISI and representatives of OSAMA BIN LADEN. The agreement reached stipulated that OSAMA BIN LADEN and his followers would not use the infrastructure in Afghanistan to subvert the royal families' control of Saudi government and in return, the Saudis would make sure that no demands would be acceded to for the extradition of terrorist individuals, such as OSAMA BIN LADEN, nor permit the closure of terrorist facilities and camps. PRINCE TURKI also promised to provide oil and generous financial assistance to both the TALIBAN in

Afghanistan and to Pakistan. After the meeting, 400 new pick-up trucks arrived in Kandahar for the TALIBAN, still bearing Dubai license plates.

254. PRINCE TURKI was instrumental in arranging a meeting in Kandahar between Iraqi senior intelligence operative, the Ambassador to Turkey FARUQ AL-HIJAZI, and OSAMA BIN LADEN, in December of 1998.

255. Istakhbarat served as a facilitator of OSAMA BIN LADEN's network of charities, foundations, and other funding sources. PRINCE TURKI has recently been named as an ambassador from Saudi Arabia to the United Kingdom.

256. Born in Riyadh, Saudi Arabia in 1924, PRINCE SULTAN is the son of Abdulaziz Bin Abdul Rahman Al Saud, founder of the modern Kingdom of Saudi Arabia and Hussa Bin Ahmad Sudairi. He is one of the six full brothers of King Fahd Bin Abdulaziz Al Saud. These seven brothers are referred to as the Sudairi seven. PRINCE SULTAN was appointed Governor of Riyadh in 1947.

257. PRINCE SULTAN has been the Second Deputy Prime Minister, Minister of Defense and Aviation since 1962 and Inspector-General of the Kingdom of Saudi Arabia. In addition, PRINCE SULTAN is Chairman of the Supreme Council for Islamic Affairs which has oversight and control over charities in Saudi Arabia.

258. Beginning with the Gulf War, PRINCE SULTAN took radical stands against western countries and publicly supported and funded several Islamic charities that were sponsoring OSAMA BIN LADEN and AL QAEDA operations, including the Defendants INTERNATIONAL ISLAMIC RELIEF ORGANIZATION ("IIRO"), MUSLIM WORLD LEAGUE, WORLD ASSEMBLY OF MUSLIM YOUTH and AL-HARAMAIN. He was appointed head of the Supreme Council of Islamic Affairs which was responsible for charitable financing.

259. PRINCE SULTAN has been involved in the sponsorship of international terrorism through the IIRO and other Saudi-funded charities. Defendant IIRO is a direct arm of the Saudi Royal family, according to Arafat El-Asahi, the Director of the Canadian branch of the IIRO. The United States Department of State has also identified IIRO as an organization which sponsors terrorism. Dr. ADNAN AL BASHA, the Secretary General of the IIRO publicly thanked PRINCE SULTAN on December 22, 2000, for his support and aid.

260. A Saudi embassy press release announced in April 2001 that "PRINCE SULTAN affirms [the] Kingdom's Support" for the Palestinian Intifada, with the generous amount of \$40 million already disbursed to "the families of those martyred" and other "worthies."

261. PRINCE SULTAN personally funded several Islamic charities over the years that sponsor, aid, abet or materially support OSAMA BIN LADEN and AL QAEDA: the IIRO (and its financial fund SANABEL EL-KHAIR), AL-HARAMAIN, MUSLIM WORLD LEAGUE, and the WORLD ASSEMBLY OF MUSLIM YOUTH. All of these charities are and/or were involved in the financing of international terrorism. The total of PRINCE SULTAN's personal donations to these entities since 1994 amounts to at least \$6,000,000, according to official and public reports.

262. PRINCE SULTAN's role in the IIRO's financing is of significance. Since the IIRO's creation in 1978, PRINCE SULTAN donated various gifts to the charity. In 1994 alone, he donated \$266,652 to the IIRO. Since 1994, the amount funneled by PRINCE SULTAN into IIRO alone is reported to be \$2,399,868. PRINCE SULTAN's role in directly contributing to and in the oversight of IIRO evidences his material sponsorship, aiding and abetting of international terrorism. PRINCE SULTAN maintains close relations with the IIRO organization headquarters and knew or should have known these assets were being diverted to AL QAEDA.

263. PRINCE SULTAN is also a large financial contributor of the MUSLIM WORLD LEAGUE. PRINCE SULTAN donated during a television fundraising campaign for MWL:

The total collection made as a result of the television campaign was SR 45,000,000, with the Emir of Riyadh, PRINCE SULTAN, donating a million Saudi Royals (\$533,304).

264. PRINCE SULTAN is also a regular donator to the WORLD ASSEMBLY OF MUSLIM YOUTH (or "WAMY"). WAMY was founded in 1972 in a Saudi effort to prevent the "corrupting" ideas of the western world influencing young Muslims. With official backing it grew to embrace 450 youth and student organizations with 34 offices worldwide. WAMY has been officially identified as a "suspected terrorist organization" by the FBI since 1996 and has been the subject of numerous governmental investigations for terrorist activities.

265. Shortly after the September 11, 2001 attacks, PRINCE SULTAN publicly accused the "Zionist and Jewish lobby" of orchestrating a "media blitz" against the Saudi Kingdom. PRINCE SULTAN argued against the United States use of Saudi bases to stage military strikes on Afghanistan after the September 11, 2001 attacks, stating that his government "will not accept in [Saudi Arabia] even a single soldier who will attack Muslims or Arabs." Saudi Minister of Defense PRINCE SULTAN also stated in 2002 that his country would not permit allied aircraft to launch preventive or major retaliatory strikes against IRAQ from bases in Saudi Arabia. PRINCE SULTAN expressed the hope that the Arab Nationals who have

fought alongside the TALIBAN and AL QAEDA will be allowed to return safely to their respective countries.

266. PRINCE MOHAMMED is engaged in the sponsorship of international terrorism through DAR AL MAAL AL ISLAMI, THE FAISAL ISLAMIC BANK and AL SHAMAL ISLAMIC BANK in the Sudan. As detailed *supra*, until 1983, DMI was under M. Ibrahim Kamel's chairmanship. On October 17, 1983, PRINCE MOHAMMED became CEO of DMI. Under PRINCE MOHAMMED's chairmanship, DMI developed banking, investment and insurance activities in approximately twenty offices across the world. DMI was founded twenty years ago to foster the spread of Islamic banking across the Muslim world and its Board of Directors included Haydar Mohamed bin Laden, a half-brother of OSAMA BIN LADEN. FAISAL ISLAMIC BANK SUDAN was one of the five main founders of AL SHAMAL ISLAMIC BANK.

267. Prominent Saudi businessman and terrorism financier Adel Abdul Jalil Batterjee is the Chairman and one of the largest shareholders of AL SHAMAL ISLAMIC BANK in Khartoum, SUDAN. AL SHAMAL ISLAMIC BANK is an instrumental bank in OSAMA BIN LADEN's financial support network. OSAMA BIN LADEN used Al Shamal Bank for the funding of his AL QAEDA network leading up to the 1998 United States Embassy bombings in Africa. Defendant FAISAL ISLAMIC BANK was implicated during Al-Fadl's May 2001 United States trial testimony regarding

the bombings as holding and managing bank accounts for AL QAEDA operatives (*supra*)..

268. As the head of DMI, PRINCE MOHAMMED knew or should have known of these and other activities and acted as an aider and abettor and material sponsor of AL QAEDA , OSAMA BIN LADEN, and international terrorism.

269. Prince Abdullah al Faisal was born in 1923 and is the son of former King Faisal. His brothers include Defendant Turki al Faisal al Saud and Defendant Mohammed al Faisal al Saud.

270. PRINCE ABDULLAH AL FAISAL, a former official of the Saudi Ministry of Interior, was Minister of Health between 1949 and 1950. He is Chairman of the Arabian Establishment for Trade and Shipping Ltd, Qassim Cement Company and owner of ALFAISALIAH GROUP. He is also Chairman of the board of trustees of the KING FAISAL FOUNDATION.

271. ALFAISALIAH GROUP (a/k/a Al Faisal Group Holding Co.) (or "AFG") is based in Riyadh, Saudi Arabia. Its main shareholder is PRINCE ABDULLAH AL FAISAL. Its Chairman is MOHAMMED ABDULLAH AL FAISAL, PRINCE ABDULLAH AL FAISAL's son.

272. ALFAISALIAH GROUP was reorganized in 2001 with PRINCE ABDULLAH AL FAISAL holding 97.5% of the shares, and businessman MOHAMMED BIN ABDULRAHMAN AL ARIEFY, President, owning 2.5 percent of the shares. The company at that time

changed its name to AL FAISAL GROUP HOLDING CO., a successor in interest to ALFAISALIAH GROUP.

273. Founded in 1970, the ALFAISALIAH GROUP is a large commercial conglomerate with 3,000 employees and thirteen subsidiaries involved in five business sectors (Food & Beverages, Petrochemicals & Plastics, Entertainment & Multimedia, Consumer Electronics, and High Tech & Information Technology). ALFAISALIAH GROUP is the representative agent in Saudi Arabia of several international companies, including Sony, Hewlett Packard, MegaStar, Columbia Tristar, 20th Century Fox, Motorola, Toshiba and Danone. Its main subsidiaries include Modern Electronic Establishment, Modern Petrochemicals Establishment, Al Safi Dairy Establishment, Al Faisalia Agricultural Establishment, Al Faisalia Real Estate Establishment and Al Faisalia Computer & Communication Services Establishment. ALFAISALIAH GROUP maintains branches in Jeddah, Al Khobar, Khamis Mushait, Madinah, Qassim, Arar and Tabuk.

274. According to FBI records, September 11, 2001, hijacker HANI SALEH H. HANJOUR (a/k/a Hani Saleh Hanjour, Hani Salch, Hani Hanjour) is a Saudi national from the city of Taif, Saudi Arabia. Hanour was one of the hijackers on American Airlines flight 77 that crashed into the Pentagon on September 11, 2001. His brother Abdulrahman Saleh Hanjour

harbored him in Tucson, Arizona, in the months preceding the September 11, 2001 attacks.

275. The two Hanjour brothers and another AL QAEDA suspect in the attacks, Abdal Monem Zelitny, had a registered address in Taif, Saudi Arabia, under the name of Alfaisaliah, P.O. Box 1717, Taif, Saudi Arabia. The name and address are the branch office of Alfaisaliah Group in Taif, a subsidiary of the Riyadh based holding company. As detailed above, Alfaisaliah is owned and controlled by PRINCE ABDULLAH AL FAISAL, son of King Faisal, and for whom, terrorist financier Zouaydi has worked as an accountant in Jeddah, Saudi Arabia.

276. One of PRINCE ABDULLAH AL FAISAL's accountants in Jeddah, Saudi Arabia was Defendant MUHAMMED GALEB KALAJE ZOUAYDI, (a/k/a Abu Talha) (or "ZOUAYDI") convicted in Spain for financing AL QAEDA operations in Europe. ZOUAYDI set up Spanish companies established during the time he was staying in Saudi Arabia and working for PRINCE ABDULLAH AL FAISAL, between 1996 and 2000. ZOUAYDI laundered Saudi money through Spain to an AL QAEDA cell in Germany.

277. Evidence from eye witnesses indicates that ZOUAYDI was present in offices of PRINCE ABDULLAH AL FAISAL in Jeddah. ZOUAYDI was also recognized in the offices of Dr. Bakhsh with Abdul Rahman Taha Bakhsh, brother of businessman ABDULLAH TAHA BAKHSH, former director of Zakat and Income Tax

at the Saudi Ministry of Finance. Both brothers are members of the board of Trading Engineering & Contracting Corp. (Traco), based in Jeddah, Saudi Arabia.

278. Evidence recovered by the Spanish authorities shows that MUHAMMED GALEB KALAJE ZOUAYDI, a Syrian born businessman, along with several associates in Spain and Europe, funneled money from the Saudi-based company, Mushayt for Trading Establishment (or "Mushayt"), through Spanish corporations to entities and individuals known to be associated with the AL QAEDA terrorist organization in Europe. PRINCE ABDULLAH AL FAISAL is implicated in these financial transactions of material support to AL QAEDA, as is PRINCE TURKI.

279. According to Spanish authorities, Mushayt received funds and donations from other companies and individuals in Saudi Arabia that were funneled to AL QAEDA through Spain. This fraudulent scheme provided material, financial support to the GLOBAL RELIEF FOUNDATION in Spain, to ABDUL FATTAH ZAMMAR and MAMOUN DARKAZANLI in Germany, who maintained the bank accounts of hijacker MOHAMED ATTA and other members of the Hamburg AL QAEDA cell. These co-conspirators (ZAMMAR and DARKAZANLI) are awaiting trial in Germany on charges of providing financial and logistical support to the organization of the September 11, 2001 attacks.

280. GHASOUB AL ABRASH GHALYOUN (a/k/a Abu Musab), an associate of ZOUAYDI's in Spain, was observed filming future targets of AL QAEDA in the United States. In his videotapes, Spanish authorities found pictures of the World Trade Center taken on August 9, 1997.

281. PRINCE NAIF is Saudi Minister of Interior and heads the Saudi Committee for relief to Afghans, which supervises the activities of Defendant AL-HARAMAIN FOUNDATION whose sponsorship of terrorism is detailed *infra*. The Minister of Interior, by function, controls the activities of Islamic Charities and is empowered to verify their legality and conduct.

282. PRINCE NAIF is the Chairman of the Saudi Arabian Committee for Support of the Intifada al Quds. According to documents captured by the Government of Israel in the Palestinian territories during operation Defensive Shield, this committee knowingly transferred large sums of money to the families of HAMAS terrorists who had executed murderous attacks against Israelis. PRINCE NAIF, along with others in Saudi Arabia, supports suicide martyrs.

283. PRINCE NAIF has engaged in a pattern of conduct that aids, abets, and materially sponsors international terrorism and AL QAEDA. As with PRINCE SULTAN and PRINCE TURKI, PRINCE NAIF has engaged in material support, including

but not limited to monetary payoffs, to OSAMA BIN LADEN's AL QAEDA.

284. Defendant ABDULLAH BIN ABDUL MUHSEN AL TURKI (or "al Turki") is a Saudi and the former rector of the University of Riyadh (1994), former minister of Waqf and Islamic Affairs until 2000, and advisor to KING FAHD. AL TURKI is also Secretary General of the MUSLIM WORLD LEAGUE.

285. Defendant ABDULLAH BIN ABDUL MUHSEN AL TURKI is a counselor to the government of Saudi Arabia and was in contact with AL QAEDA financier ZOUAYDI. ABDULLAH BIN ABDUL MUHSEN AL TURKI acted as Saudi Minister of Islamic Affairs for many years and was in a position where he knew or should have known about the reach of international terrorism and AL QAEDA. AL TURKI later became a shareholder in the front organization known as Promociones which bought real estate but did no actual construction work, although listing itself as a construction company. Instead, that company made direct payments to AL QAEDA cells.

286. On October 10, 1999, ABDULLAH BIN ABDUL MUHSEN AL TURKI and ZOUAYDI, a senior AL QAEDA financier for Europe agreed to participate as business partners in a construction project in Madrid, Spain. A contract was written by ZOUAYDI'S Company in Spain stating that both parties will

finance 50% of the project. The incomes would be split 70/30 between AL TURKI and ZOUAYDI.

287. ZOUAYDI was part of an international terrorist movement for global jihad which encompassed the AL QAEDA network. This network channeled money directly to the perpetrators of September 11, 2001.

288. Several faxes in support of this enterprise, scheme and conspiracy were sent by ZOUAYDI to AL TURKI. As a guaranty for the Spanish company, ZOUAYDI sent a check of 191 million Pesetas on September 15, 1999, to AL TURKI as beneficiary from Banco Sabadell in Madrid. In one fax sent on October 15, 1999, ZOUAYDI asked AL TURKI to send the money through al Rajhi Bank (which hold his accounts in Saudi Arabia). On October 22, 1999, a fax was sent to AL TURKI by Prol & Asociados law firm in Madrid referring to a telephone conversation with someone acting on behalf of AL TURKI, named WALEED O HOUSSAINY, about a project of AL TURKI to buy 100% of ZOUAYDI's Spanish company.

289. On February 4, 2000, ZOUAYDI sent a fax to AL TURKI, referring to him as "advisor to KING FAHD." In his declarations to the Spanish judge on April 26, 2002, ZOUAYDI referred to AL TURKI as "advisor to KING FAHD." AL TURKI's representative, WALEED AL HUSSEINI, is the manager of a major Saudi company owned by the prominent shareholders.

290. THE SAUDI HIGH COMMISSION, (a/k/a the Saudi High Relief Commission) (or "SHC") was founded in 1993 by PRINCE SALMAN BIN ABDUL AZIZ AL SAUD (or "PRINCE SALMAN"), the Mayor of Riyadh and a son of King Fahd, and a prime supporter of the charity. Hailed as the largest fundraising effort in the Arab and Muslim world, the Saudi High Commission claims to have spent more than \$600 million in aid to Bosnian Muslims impoverished by the country's recent civil war.

291. Despite the Saudi commission's generous efforts in Bosnia, it has been widely criticized by aid agencies and Bosnian intellectuals for importing the extreme form of Saudi Islam, Wahhabism, which is alien to the more moderate, secular form of Islam found in Bosnia. Bosnian officials claim that the Wahhabis' intolerant and anti-Western form of Islam contradicts and offends Bosnian tradition and undermines the country's rich and diverse religious heritage.

292. On October 21, 2001, five Algerians were arrested in Bosnia Herzegovina on criminal charges of international terrorism following a threat to the United States embassy. The incident resulted in the five day closure of the United States and British embassies for what both embassies called "a credible security threat." The plot was discovered when United States intelligence intercepted a telephone conversation between two of the accomplices about the

mission. During this telephone conversation, one of the terrorists said, "American interests would be jeopardized within 48 hours."

293. This group of Algerians is suspected to be a part of the AL QAEDA network. The NATO Secretary-General, George Robertson, stated that at least one of the five had "direct links with AL QAEDA and OSAMA BIN LADEN." The leader of the group, BENSAYAH BELKACEM, has been identified as a top AL QAEDA lieutenant. In October, 2001, BELKACEM was arrested at his apartment in Zenica, Bosnia, where authorities found phony passports and a mobile telephone listing for ABU ZUBADAH, AL QAEDA's third-in-command. According to phone transcripts, BELKACEM was also in phone contact with an AL QAEDA military commander ABU AL-MAID.

294. One of the six Algerian terror suspects, SABIR LAMAR, worked for the Saudi High Commission as an Arabic language teacher. SABIR LAMAR fought in Afghanistan with the Mujahideen. He is married to the daughter of a former local employee at the United States embassy in Sarajevo and is believed to have had keys to the building, in which photographs and other information were available.

295. In October, 2001, United States forces raided the Sarajevo branch of the Saudi High Commission of Bosnia and Herzegovina and found computer hard drives with photographs

of the World Trade Center before and after its collapse as well as photos of United States embassies in Kenya and Tanzania and the USS Cole. Additionally, United States forces discovered files on pesticides and crop dusters, information about how to make fake State Department badges as well as photographs and maps of Washington, marking government buildings. About \$100,000 worth of local currency was found in a safe, as well as anti-Semitic and anti-United States computer material geared toward children.

296. The Financial Police of the Federation of Bosnia Herzegovina Ministry of Finance analyzed the documents seized from the offices of the Saudi High Commission and described the organization as a front for radical and terrorism-related activities:

Members of the SFOR have on premises of the Saudi High Commission Relief for Bosnia and Herzegovina confiscated some documentation for which it can be claimed with certainty that it does not belong in the scope of work of a humanitarian organization (various photographs of the World Trade Center, sketches of military bases, certain photographs of military ships, civil airplanes, certain specially protected facilities, and other).

297. In October 2001, a Bosnian spokesman announced that between 100,000 DM and 200,000 DM in cash were also seized in the offices of the Saudi High Commission. The Saudi High

Commission used 24 vehicles with diplomatic plates to transport members and material inside Bosnia Herzegovina.

298. PRINCE SALMAN was named Chairman of the GENERAL DONATION COMMITTEE FOR AFGHANISTAN (a/k/a Afghan Jihad Support Committee) in 1980 and has a history of funding Islamic extremism. In 1981, the General Donation Committee for Afghanistan gave \$39 million dollars to aid the Afghan Mujahideen. PRINCE SALMAN stated the donation was made to "our Afghan brothers."

299. In 1999, PRINCE SALMAN made a donation of \$400,000 during a fund-raising event organized for Bosnia Herzegovina and Chechnya by Defendants INTERNATIONAL ISLAMIC RELIEF ORGANIZATION, WORLD ASSEMBLY OF MUSLIM YOUTHS, and AL-HARAMAIN FOUNDATION.

300. A letter seized by the Israeli Defense Forces during Operation Defensive Shield, further evidenced the involvement of PRINCE SALMAN in financing terrorist organizations. The letter dated December 30, 2000, was issued by the Embassy of the State of Palestine in Riyadh to PRINCE SALMAN BIN ABDUL AZIZ AL SAUD, Chairman of the Popular Committees for Support of the Palestinian Fighters. The Palestinian ambassador expresses the concern of Yasser Arafat regarding funding of radical organizations.

I wish to inform you that [Yasser Arafat] called me and asked to convey